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IN THE UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF UTAH

CENTRAL DIVISION

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IN RE:

SIMON TRANSPORTATION SERVICES,  
INC. and DICK SIMON TRUCKING, INC.

Debtors.

Bankruptcy Case No.  
02-22906 GEC

Chapter 11

[Jointly Administered]

Judge Glen E. Clark

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**NOTICE OF APPEAL ON  
ORDER DENYING MOTION TO RECONSIDER**

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NOTICE IS HEREBY GIVEN that, pursuant to 28 U.S.C. § 158(a)(1) and Rule 8001, Federal Rules of Bankruptcy Procedure, Central Refrigerated Service, Inc. ("Central") hereby appeals the Order Denying Motion to Reconsider entered on April 29, 2003 in the above-referenced case. Specifically, Central appeals from the factual findings set forth in the subsection entitled



0222906D1036

“**Facts**” in the above-described Order, together with the conclusions that Central paid nothing for the Trade-Back Agreements, and that such Trade-Back Agreements were not included in the Order approving the sale of assets to Central.

The names of all parties to the Order upon which this appeal is taken, and the names, addresses and telephone numbers of their respective attorney are provided as follows:

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Wayne Z. Bennett, Esq.  
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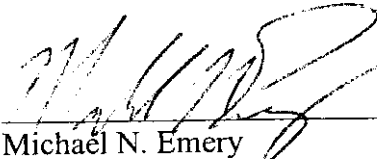
Laurie Crandall  
U.S. TRUSTEE'S OFFICE  
#9 Exchange Place, Suite 100  
Salt Lake City, UT 84111-2147

RESPECTFULLY SUBMITTED this 9<sup>th</sup> day of May, 2003.

RICHARDS, BRANDT, MILLER  
& NELSON

## CERTIFICATION OF SERVICE NOTICE OF APPEAL

I hereby certify that per Rule 8004 I served a copy of the Notice of Appeal on counsel of record for each party to said proceeding other than the Appellant, or, if not represented by counsel, the party's last known address, by first class mail on the date listed below:

  
Michael N. Emery  
Wayne Z. Bennett  
Attorneys for  
Central Refrigerated Service, Inc.

*Emery, Harris, Beckett, Goldstein  
Billings, U.S. Jr.*

5/12/03  
Dated

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Appeals Clerk

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing instrument was sent first-class mail, postage prepaid, on this \_\_\_\_ day of May, 2003, to the following:

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Exhibits/  
Attachments  
to this document  
have **not** been  
scanned.

Please see the  
case file.